

REMARKS

In the Office Action, the Examiner rejected claims 1 and 9 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,404,393 to Remillard ("*Remillard*") in view of U.S. Patent No. 5,404,393 to Bull et al. ("*Bull*").

Applicants respectfully traverse the rejection of claims 1 and 9 under 35 U.S.C. § 103(a).

Independent claim 1, for example, recites a server operational expenses collecting method. The method comprises, among other things, "generating a second electronic programming guide by reorganizing a first electronic programming guide in accordance with the preference of said user on the basis of the generated customer analysis information." The cited references, even if combined as suggested by the Examiner, fail to teach or suggest the claimed second electronic programming guide.

Remillard discloses "[a]n electronic device and method for accessing remote electronic facilities and displaying associated information on a conventional television set," and programming information can be downloaded to the electronic device (*Remillard*, abstract). *Remillard*'s electronic device constructs a viewing profile for a user, and can display a purchasing menu to the user (*Remillard*, col. 5, line 55 to col. 6, line 6). However, *Remillard* does not disclose generating a programming guide. Moreover, *Remillard* does not disclose reorganizing a programming guide. Therefore, *Remillard* fails to teach or suggest "generating a second electronic programming guide by reorganizing a first electronic programming guide in accordance with the preference of said user on the basis of the generated customer analysis information," as recited by independent claim 1.

Bull also fails to disclose the claimed second electronic programming guide. *Bull* discloses an information aggregation and synthesization system and process (*Bull*, abstract). However, *Bull* does not disclose generating a second electronic programming guide by reorganizing a first electronic programming guide. Therefore, *Bull* fails to teach or suggest "generating a second electronic programming guide by reorganizing a first electronic programming guide in accordance with the preference of said user on the basis of the generated customer analysis information," as recited by independent claim 1.

Although of different scope, independent claim 9 distinguishes over *Remillard* and *Bull* for at least the same reasons as claim 1. Because the cited references fail to teach or suggest each and every element recited by claims 1 and 9, no prima facie case of obviousness has been established with respect to these claims. Applicants therefore request the Examiner to withdraw the rejection of these claims under 35 U.S.C. § 103(a).

In view of the foregoing remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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